

**United States District Court  
Northern District of New York**

**JUDGMENT IN A CIVIL CASE**

**PAUL E. LOUIS, SR.**

**Plaintiff**

**VS.**

**6:07-CV-557 (GHL)**

**COMMISSIONER OF SOCIAL SECURITY**

**Defendant**

**[X] Decision by Court.** This action came to trial or hearing before the Court.  
The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED**

That this Court lacks jurisdiction to review Defendant's decision because plaintiff's complaint was not filed within 60 days of plaintiff's receipt of notice of the administrative decision. Plaintiff has not demonstrated that the 60 day deadline should be equitably tolled. This Court lacks jurisdiction because the administrative decision was fully favorable to plaintiff. Finally this Court lacks jurisdiction to review Defendant's refusals to reopen the administrative decision. Therefore the Motion to Dismiss is granted and this action is dismissed.

All of the above pursuant to the Order of the Honorable Magistrate Judge George H. Lowe dated the 23rd day of April, 2008.

**APRIL 24, 2008**

\_\_\_\_\_  
**DATE**

**LAWRENCE K. BAERMAN**

\_\_\_\_\_  
**CLERK OF COURT**

s/  
\_\_\_\_\_

**JOANNE BLESKOSKI  
DEPUTY CLERK**